



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT) PDC CASE NO: 06-301
ACTION AGAINST)
) Notice of Administrative
Nick Federici) Charges
)
Respondent.)
)

IT IS ALLEGED as follows:

I. JURISDICTION

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all of its exhibits by reference.

II. ALLEGATIONS

2. Nick Federici is a registered lobbyist. He violated RCW 42.17.150 and .170 as follows:

a. Form L-1 Registration - By lobbying for nine clients during 2005 without first filing the required L-1 registration form in violation of RCW 42.17.150. Eight of the required L-1 reports were filed 283 days late and one was filed 304 days late. The nine late filed L-1 registrations showed that the compensation he received for those clients during the legislative session totaled \$14,800 per month.

b. Form L-2 Disclosures - By failing to timely file five monthly lobbyist expense reports (PDC form L-2) for 2005 lobbying activities in violation of RCW 42.17.170. The reports were filed between 17 and 46 days late, and included compensation of \$59,650 and other expenses of \$10,342 for total late-reported compensation and expenses of \$69,992.



III. FACTS SUPPORTING ALLEGATIONS

Missing Lobbyist Registrations

3. Nick Federici has been a registered lobbyist with the PDC since 1997. At the end of 2004, he was properly registered and reporting for ten clients.

4. He registered for one client, ARNP's United, on November 17, 2004. Because this registration was filed during the last calendar quarter of 2004, it is effective until the second Monday in 2007.

5. With respect to the nine other clients, he was required to re-register by the second Monday in 2005, January 10, 2005.

6. He failed to re-register as required and continued to lobby for his nine other clients in 2005.

7. Following is a summary of Mr. Federici's lobbyist registrations that were not timely renewed and the amount of compensation the registration stated would be earned each month during the legislative session.

Nick Federici

Notice of Administrative Charges – Case No. 06-301

Page 3

Name of Employer	Compensation Per Month	L-1 Due Date	Date Filed	Days Late
American Lung Association	\$4,000	1/10/05	10/20/05	283
CHOICE Regional Health Network	\$500	1/10/05	10/20/05	283
Fairfax Hospital	\$2,000	1/10/05	11/10/05	304
Home Care Coalition	\$1,000	1/10/05	10/20/05	283
Midwives Association of Washington	\$1,000	1/10/05	10/20/05	283
National Association of Social Workers	\$1,100	1/10/05	10/20/05	283
Respiratory Care Society of Washington	\$750	1/10/05	10/20/05	283
Washington Low Income Housing Alliance	\$3,200	1/10/05	10/20/05	283
Washington Toxics Coalition	\$1,250	1/10/05	10/20/05	283
Total Compensation per Month	\$14,800			

Late-Filed Monthly Expense Reports

8. Mr. Federici was properly registered for one client, ARNP's United, in January 2005. As such, his January L-2 report was due by February 15, 2005. It was not received until April 5, 2005. When his January L-2 report was not timely received, Mr. Federici was sent a warning letter on March 8, 2005, reminding him to file future monthly L-2 reports timely and informing him of monetary penalties for further late filed reports.

9. On April 5, 2005, Mr. Federici filed L-2 reports for the months of January, February and March. The January L-2 report was filed 49 days late. The February L-2 report was due by March 15, 2005 and was received 21 days late, but in time to avoid a brief enforcement hearing for a second late report during the same calendar year.

10. During the remainder of 2005, Mr. Federici filed five additional L-2 reports more than 15 days late. Those late reports were for the months of April, June, September, October and November. Following is a summary of these late reports.

Month	Compensation	Other Expenses	Total Expenses	Days Late
April	\$17,300	\$2,830	\$20,130	35
June	\$7,400	\$2,530	\$9,930	26
September	\$9,400	\$2,130	\$11,530	46
October	\$10,150	\$2,052	\$12,202	17
November	\$15,400	\$800	\$16,200	26
Total	\$59,650	\$10,342	\$69,992	

Past Compliance History

11. Mr. Federici received warning letters or stipulated to a violation and paid a penalty for lobbying related activities five times between October 2001 and August 2004. These activities are summarized below:

Date	Activity	Penalty
October 24, 2001	Late L-3	\$100 Stipulated
April 8, 2003	Late L-2	Warning Letter
February 16, 2004	Late L-2 (December 2003)	\$100 Stipulated
June 7, 2004	Late L-2	Warning Letter
August 6, 2004	Late L-2	Warning Letter

IV. RELEVANT LAW

12. RCW 42.17.150 states that before doing any lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the commission a lobbyist registration statement, in such detail as the commission shall prescribe. In addition, it states that each lobbyist who has registered shall file a new registration statement, revised as appropriate, on the second Monday in January of each odd-numbered year, and failure to do so shall terminate his registration.

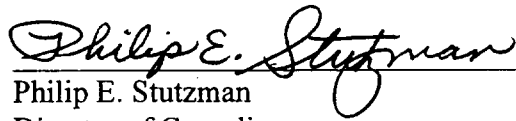
Nick Federici

Notice of Administrative Charges -- Case No. 06-301

Page 6

13. RCW 42.17.170 requires registered lobbyists and any person who lobbies to file with the commission periodic reports of his or her activities. Those reports are due monthly and shall be filed within fifteen days after the last day of the calendar month covered by the report.

RESPECTFULLY SUBMITTED this 13th day of January 2006.


Philip E. Stutzman

Director of Compliance